



## PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

### APPLICATION REVIEW PROCEDURES FOR PROJECT PERMITS

#### GENERAL INFORMATION

The following procedures outline how 'project permits' will be processed by the City of Liberty Lake Planning & Community Development Department (P&CD). Project permits include larger scale building and grading permits that require SEPA, plats, binding site plans, conditional use permits, variances, zone reclassifications, etc., and other city permits subject to the State Environmental Policy Act. The City's Application Review Procedures for Project Permits enable the City, the applicant, and the public to reasonably review applications and participate in the local decision-making process in a timely and effective way that complies with state law. The City utilizes a consolidated project permit process which provides for combined processing of multiple permits issued by the City of Liberty Lake related to a specific project and environmental review on that project. Consolidated project review also provides for coordinated meetings and hearings, as applicable, associated with the project. Processing time for project permits vary depending on the type of project permit, however generally processing is completed between a 45 and 120 day timeframe. Applicants that promptly prepare and supply required items will aid in expediting the overall process.

This handout serves as a brief overview on the City's Application Review Procedures for Project Permits. For more information on specific project permit requirements, please refer to the City of Liberty Lake Development Code.

#### PROJECT PERMIT PROCEDURE TYPES

The procedure "type" assigned to each permit governs the decision-making process for that permit. There are five types of permit / decision-making procedures: Exempt, Type I, Type II, Type III, and Type IV. These procedures types and the projects associated with each procedure type are described below.

**EXEMPT PROJECTS** - Exempt projects do not require project permit review processes because they are generally smaller scale permits or administrative actions by the Planning & Community Development Department (P&CD) that are not required to go through public notice provisions, full agency review, or State Environmental Policy Act (SEPA) review. Decisions on Exempt Projects are made by the Planning & Community Development Department and depending on the type and complexity of the project, review time can vary, however, it is P&CD's goal to process projects as quickly as possible.

The following projects, listed at the top of Page 2, are exempt from the full project permit review process:

- Accessory Dwelling Units
- Administrative Interpretations and Minor Modifications
- Approach Permits
- Class A Variance
- Commercial, Industrial, Grading, & other building permits that may require a site plan review meeting and design review, but do not require SEPA \*  
(\* P&CD may determine that a project needs to be classified as a Type I project due to its location or complexity).
- Major modifications to existing Commercial, Industrial, Grading, & other building permits that may require a site plan review meeting and design review, but do not require SEPA.
- Mechanical & Plumbing Permits
- Boundary Line Adjustments
- Home Occupation Permits
- Public Assembly Permits
- Right of Way Permits
- Sign & Temporary Sign Permits
- Temporary Use Permits
- Street Vacations (Requires a final City Council approval)

**TYPE I PROJECTS** - Type I project permits are generally administrative decisions that usually require SEPA with minimal notice requirements, and decisions are made by the Director or his or her designee, without a public hearing. The Type I procedure is used when there are clear and objective approval criteria, and applying City standards and criteria requires no use of discretion. The following projects are classified as Type I projects:

- Commercial, Industrial, Grading, & other building permits that require SEPA:
  - Residential dwelling units with 21 or more units
  - Office, school, commercial, recreational, service, or storage buildings, 12,000 square feet or greater in size or uses with 40 or more parking spaces
  - Parking lots with 40 or more parking spaces
  - Landfills and excavations of 500 cubic yards or greater
- Major modifications to existing Commercial, Industrial, Grading, & other building permits that require SEPA
- Manufactured Home Parks
- Preliminary Binding Site Plans (BSP) or Change of Conditions to an existing BSP
- Short Plats
- Top Soil Removals

**TYPE II PROJECTS** - Type II project permit decisions are Hearing Examiner decisions that require an 'open record' public hearing before the Hearing Examiner, full public notice, and they may or may not require SEPA. The 'closed record' appeal of a Type II decision is heard by the City Council. The following projects are classified as Type II projects:

- Conditional Use Permits or major modifications to an existing permit
- Shoreline Permits
- Special Use Permits
- Class B Variances

**TYPE III PROJECTS** - Type III project permit decisions are City Council decisions that require an 'open record' public hearing before the Hearing Examiner and approval by the City Council after an additional 'closed record' public hearing where the Council reviews the Hearing Examiner's recommendation and the public record. Type III projects may or may not require SEPA and project decisions generally use discretionary approval criteria. Appeals are reviewed by the Spokane County Superior Court. The following projects are classified as Type III projects:

- Change of Conditions or Amendments to an existing Plat or PUD (Major Modification)
- Preliminary Planned Unit Developments (PUD)
- Preliminary Plats
- Property Rezones (individual properties)

**TYPE IV PROJECTS** - Type IV procedures apply to legislative matters and Type IV projects are not project permits. Legislative matters involve the creation, revision, or large-scale implementation of public policy (e.g., adoption of land use regulations, zone changes, and comprehensive plan amendments which apply to entire districts). Type IV matters are considered initially by the Planning Commission with final decisions made by the City Council. The project permit 120 day process timeline shall not apply to Type IV projects and Type IV projects shall only be reviewed once a year. See Section 10-4B-5 of the City Development Code for specific information governing Type IV projects. Although Type IV projects may utilize some of the process steps, they are not considered project permits and have only been included for comparison purposes.

For additional information concerning Type IV Projects and their review procedures, consult the City of Liberty Lake Development Code, City Comprehensive Plan, or City Brochure - Comprehensive Plan & Development Code Amendments. The following projects are classified as Type IV projects:

- Comprehensive Plan Initial Adoption & Amendments
- Development Regulations Initial Adoption & Amendments

## **PROJECT PERMIT REVIEW PROCESS & TIMELINE**

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The following procedures outline a chronological process for local review of project permits with specifics for each project type being specified. Some review process steps may not apply to all project types or some processes may be waived at the discretion of P&CD and as allowed by state law. Additionally, some projects, due to their size, complexity, location, etc. may require additional technical review. If applicable, as a part of the review process and notice provisions for project permits, all plats, short plats, development permits, and building permits issued for development activities on, or within five hundred feet of, lands designated as agricultural lands, forest lands, or mineral resource lands, shall contain a notice that the subject property is within or near designated agricultural lands, forest lands, or mineral resource lands on which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration. The notice for mineral resource lands shall also inform that an application might be made for mining-related activities, including mining, extraction, washing, crushing, stockpiling, blasting, transporting, and recycling of minerals.

See table at the top of Page 4 for review process requirements.

Review Process Requirements	Exempt Projects	Type I	Type II	Type III	Type IV
Pre-Application Conference	X <sup>1</sup>	X	X	X	X
Submittal of Application Packet and SEPA Checklist (as applicable)	X	X	X	X	X
Determination of Completeness (DOC)		X	X	X	
Notice of Application (NOA)		X	X	X	
Technical Review		X	X	X	
Notice of Hearing					
Planning Commission Public Hearing					X
Hearing Examiner Public Hearing			X	X	
City Council Public Hearing				X	X
Notice of Decision		X <sup>2</sup>	X	X	X
Appeals					
Hearing Examiner Administrative Appeal		X			
City Council Administrative Appeal			X	X	
Judicial / Growth Management Hearings Board Appeal			X	X	X

X = required for permit type

X<sup>1</sup> = projects may be required to go through a site plan review meeting and design review or P&CD Dept. consultation prior to application approval and permit issuance

X<sup>2</sup> = Notice of Decision or building / grading permit issuance

### **STEP 1 - PRE-APPLICATION CONFERENCES.**

When a Pre-Application Conference / Site Plan Review form is completed and submitted to P&CD by the project applicant, the project permit process begins with the scheduling of a Pre-Application Conference / Site Plan Review Meeting. The meeting is usually held within two weeks from the date the completed form is submitted to P&CD. The applicant is encouraged to submit preliminary site plans, building elevations, colors, etc. the week prior to the scheduled meeting in order for the project to be reviewed by the Design Review Subcommittee at the earliest possible stage of the process.

Pre-application conferences provide permit applicants with information regarding what general requirements must be met to process an application packet and the project permit review process. At pre-application conferences, the City will, as applicable:

- Cite the comprehensive plan policies and map designations applicable to the proposal;
- Cite the development code provisions, including substantive and procedural requirements applicable to the proposal;
- Provide available technical data and assistance which will aid the applicant;
- Identify other governmental policies and regulations that relate to the application;
- Reasonably identify other opportunities or constraints concerning the application; and
- When preliminary drawings are provided prior to the pre-application conference, feedback from the design review subcommittee may be provided, if applicable.

## **STEP 2 - SUBMITTAL OF APPLICATION PACKET & SEPA CHECKLIST (AS APPLICABLE).**

The City of Liberty Lake does not allow delayed submittals and encourages substantially complete application packets and SEPA Checklists to be submitted at or before the Pre-Application Conference in order to expedite the review process, if possible. Applicants that promptly supply and prepare required items will aid in expediting the overall process. The following outlines the minimum application requirements:

- Application shall be made on forms provided by P&CD and shall include information requested on the application form which addresses the criteria with sufficient detail for review and action.
- Required submittals for each project shall be supplied with the completed application, including a City of Liberty Lake SEPA Checklist, if applicable.
- Fees shall be established by P&CD per the adopted P&CD fee schedule.

## **STEP 3 - DETERMINATION OF COMPLETENESS (DOC).**

The Determination of Completeness (DOC) is issued to permit applicants to advise them that the necessary paperwork has been submitted, including complete application packets and a SEPA checklist (if applicable) or what items need to be submitted to make the application packet complete. The "procedural submission requirements" of the City have been met so City departments and other public agencies can begin review of an application packet, or if all required application packet documents have not been included, what is still needed. Preliminary SEPA review, if applicable, is also conducted during this phase. Issuance of a DOC shall not preclude the City from requesting additional information or studies either at the time of the Determination of Completeness or subsequently if new information is required or substantial changes in the proposed action occur. Please consult the City of Liberty Lake Development Code about the process for handling changes or additions to the application after the issuance of a Determination of Completeness.

To prepare for the Notice of Application (NOA), P&CD will supply the applicant with the required notice preparation instructions and signage example for the project.

## **STEP 4 - NOTICE OF APPLICATION (NOA).**

When the applicant provides the required Spokane County Assessor Map(s), the completed notification envelopes, and the completed title company / applicant certification form, described below, the City shall provide a Notice of Application (NOA) to the public, and the departments and agencies with jurisdiction that an application has been submitted and that the opportunity for comment is available within the defined fourteen (14) calendar day comment period. Notice occurs via mail, posting on the City website, publication in the official City newspaper, and on-site signage, as applicable. The NOA is completed within 14 days of the DOC and provides for a 14-day comment period. During this phase, preliminary State Environmental Policy Act (SEPA) threshold determination would also be covered (if applicable).

When P&CD is the lead agency for SEPA, the Optional Determination of Nonsignificance "Optional DNS" process may be used where the SEPA checklist is routed for comment with the NOA and P&CD may make a preliminary SEPA threshold determination concurrently with the NOA. The NOA may also be combined with a scoping notice for a determination of significance (DS) or P&CD may issue a determination of significance and scoping notice prior to the NOA. If the optional DNS process mentioned is not being used, a Determination of Nonsignificance (DNS) or Mitigated Determination of Nonsignificance (MDNS) threshold determination must be issued after the NOA. For Type III and Type IV projects, if the SEPA threshold determination requires public notice, the City shall issue the threshold decision at least fifteen (15) calendar days prior to the open record pre-decision hearing before the Hearing Examiner or Planning Commission, as applicable.

### **Notice Requirements - Mailings**

**Type I Project Permits:** The applicant shall prepare envelopes to notify property owners as follows:

- Property owners and taxpayers, if different than the property owners, whose property is adjacent to or within a one hundred fifty (150) foot radius of the perimeter of the subject site, whichever is greater, including any access easement(s) serving said site, shall be notified by mail at least fourteen (14) calendar days prior to the close of the comment period.
- In those instances where any portion of the property abutting the subject site is owned, controlled, or under option by the applicant or his representative, then the adjacent notification radius shall be based on the total ownership, including the abutting, controlled property.
- Property owners and taxpayers are those shown on the Spokane County Assessor's/ Treasurer's most current computer records obtained by the applicant from a title company no more than thirty (30) calendar days prior to the issuance of the Notice of Application.
- The notification shall consist only of information approved and provided by P&CD and envelopes shall be prepared by the applicant with the required postage, but not sealed. The applicant shall also prepare envelopes for agencies with jurisdiction, as directed by P&CD. Completed envelopes shall be given to P&CD at least eighteen (18) calendar days prior to the close of the comment period.
- P&CD shall check the envelopes, mail them, and complete an affidavit confirming that these provisions have been fulfilled. The notice shall be deemed mailed when deposited in the United States mail, postage prepaid, and properly addressed. Notice shall be deemed adequate when each property owner and taxpayer having a complete mailing address shown on the Assessor's/ Treasurer's most current computer records is mailed a notice. The failure of any person to actually receive a mailed notice shall not invalidate any project permit decision. The Notice of Application shall be mailed through regular U.S. mail or personally served at least fourteen (14) calendar days prior to the end of the comment period.

**Type II and Type III Project Permits:** The applicant shall prepare envelopes to notify property owners as follows:

- Property owners and/or taxpayers, if different than the property owners, whose property is within a four hundred (400)-foot radius of the perimeter of the subject site, including any access easement(s) serving said site, shall be notified by mail at least fourteen (14) calendar days prior to the close of the comment period.
- In those instances where any portion of the property abutting the subject site is owned, controlled, or under option by the applicant or his representative, then all property owners within four hundred (400) feet of the applicant's total ownership shall be notified.
- Property owners and/or taxpayers are those shown on the Spokane County Assessor's/ Treasurer's most current computer records obtained by the applicant from a title company not more than thirty (30) calendar days prior to the issuance of the Notice of Application.
- The notification shall consist only of information approved and provided by P&CD and envelopes shall be prepared by the applicant with the required postage, but not sealed. The applicant shall also prepare envelopes for agencies with jurisdiction, as directed by P&CD. Completed envelopes shall be given to P&CD at least eighteen (18) calendar days prior to the close of the comment period.

- P&CD shall check the envelopes, mail them, and complete an affidavit confirming that these provisions have been fulfilled. The notice shall be deemed mailed when deposited in the United States mail, postage prepaid, and properly addressed. Notice shall be deemed adequate when each property owner and taxpayer having a complete mailing address shown on the Assessor's/ Treasurer's most current computer records is mailed a notice. The failure of any person to actually receive a mailed notice shall not invalidate any project permit decision. The Notice of Application shall be mailed through regular U.S. mail or personally served at least fourteen (14) calendar days prior to the end of the comment period.

### **Notice Requirements - On-Site Signage**

Type I, Type II, & Type III Project Permits: A sign will need to be posted which is a minimum of two (2) feet in width by three (3) feet in height and six square feet in area. The sign shall be erected by the applicant on the site fronting and adjacent to the most heavily traveled public street, and positioned as close to the right-of-way as possible, so it is easily readable by the traveling vehicular public from the right-of-way at least fourteen (14) calendar days prior to the close of the comment period. Depending on site size, more than one sign may be required. Signage shall consist only of information approved and provided by P&CD and the signage shall be prepared and installed by the applicant. Signage shall be constructed of material of sufficient weight and reasonable strength to withstand normal weather conditions and the applicant shall complete and submit to P&CD an affidavit of posting. The sign shall be lettered and spaced as follows:

- A minimum one (1)-inch border on the top, sides, and bottom of the sign;
- The first line(s), in two (2)-inch tall letters, shall read  
"NOTICE OF APPLICATION";
- All the following lines, in one (1)-inch tall letters, shall read:  
"PROJECT FILE #"  
"PROPOSAL"  
"APPLICANT"  
"ENVIRONMENTAL REVIEW"  
"REVIEW AUTHORITY"
- Project specific information will be supplied to the applicant by P&CD prior to sign preparation and a copy of the actual Notice of Application (NOA) shall be attached to the bottom face of the sign. Required text shall be at least 1/2 inch tall letters. See example below.

<b>NOTICE OF APPLICATION</b>	
PROJECT FILE #: "EXAMPLE"	
PROPOSAL: "EXAMPLE"	
APPLICANT: "EXAMPLE"	
ENVIRONMENTAL REVIEW: "EXAMPLE -----"	
REVIEW AUTHORITY: CITY OF LIBERTY LAKE PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT	
ATTACH ACTUAL NOTICE OF APPLICATION TO BOTTOM OF SIGN	ATTACH ACTUAL SEPA DETERMINATION TO BOTTOM OF SIGN, IF APPLICABLE

### **Notice Requirements - Publication**

**Type I, Type II, and Type III Project Permits:** P&CD shall publish a Notice of Application in the official City newspaper and on the City website, at least one week prior to the end of the NOA comment period.

### **STEP 5 - TECHNICAL REVIEW.**

Technical Review is a process where City staff and affected agencies review proposals for consistency and conformance with applicable regulations and to finalize proposed conditions of approval for the project in preparation for the project to proceed to a public hearing, administrative decision, or permit issuance, as applicable. A Technical Review Meeting is optional for Type I projects and required for Type II and Type III projects, per the discretion of P&CD. At the meeting, affected agencies and City staff present the applicant with comments on the project and the proposed conditions of approval prior to the public hearing, administrative decision, or permit issuance, as applicable. This review process should occur within 14 days of the close of the comment period for the NOA. A final SEPA determination (if applicable) would also be made prior to or during the Technical Review period. An additional Technical Review Meeting may be required on some Type I projects prior to permit issuance, depending project complexity, as determined by P&CD.

To prepare for the Notice of Hearing (NOH), P&CD shall supply the applicant with the required notice preparation instructions and signage example for the project, if applicable.

### **STEP 6 - NOTICE OF HEARING (NOH) - NOT APPLICABLE FOR TYPE I PROJECT PERMITS.**

The City shall provide a Notice of Hearing to the public, and the departments and agencies with jurisdiction that proposals (Type II & Type III projects) requiring a public hearing have been scheduled for an 'open record' hearing before the Hearing Examiner. At the hearing(s), individuals and agencies can provide testimony. This notice occurs via the mail, posting on the City website, publication in the official City newspaper, and on site signage, as applicable. Additionally, the Director or his or her designee shall prepare a staff report for the Hearing Examiner, that summarizes the application(s) and applicable decision criteria, and provides findings of conformance and/or non-conformance with the criteria. The staff report should also provide a recommended decision of: approval; denial; or approval with specific conditions that ensure conformance with the approval criteria. Hearing bodies may continue any hearing, and no additional notice of hearing shall be required if the matter is continued to a specified place, date, and time. For Type III project permits, the hearing held before the Hearing Examiner should coincide with the time and date of regular City Council meetings in order to increase the opportunity for public comments to be received.

### **Notice Requirements - Mailings**

**Type II and Type III Project Permits:** The applicant shall prepare envelopes to notify property owners as follows:

- Property owners and/or taxpayers, if different than the property owners, whose property is within a four hundred (400)-foot radius of the perimeter of the subject site, including any access easement(s) serving said site, shall be notified by mail at least fourteen (14) calendar days prior to the hearing before the Hearing Examiner.
- Property owners and/or taxpayers, if different than the property owners, whose property abuts the subject site, shall be notified by certified mail at least fourteen (14) calendar days prior to the hearing before the Hearing Examiner.
- In those instances where any portion of the property abutting the subject site is owned, controlled, or under option by the applicant or his representative, then all property owners within four hundred (400) feet of the applicant's total ownership shall be notified by mail at least fourteen (14) calendar days prior to the hearing before the Hearing Examiner.



- Property owners and/or taxpayers are those shown on the Spokane County Assessor's/ Treasurer's most current computer records obtained by the applicant from a title company not more than thirty (30) calendar days prior to the issuance of the Notice of Hearing. The applicant may use the records obtained for the Notice of Application per the discretion of P&CD.
- The notification shall consist only of information approved and provided by P&CD and envelopes shall be prepared by the applicant with the required postage, but not sealed. The applicant shall also prepare envelopes for agencies with jurisdiction, as directed by P&CD. Completed envelopes shall be given to P&CD at least eighteen (18) calendar days prior to the scheduled hearing or the hearing will be re-scheduled.
- P&CD shall check the envelopes, mail them, and complete an affidavit confirming that these provisions have been fulfilled. The notice shall be deemed mailed when deposited in the United States mail, postage prepaid, and properly addressed. Notice shall be deemed adequate when each property owner and taxpayer having a complete mailing address shown on Assessor's/ Treasurer's most current computer records is mailed a notice. The failure of any person to actually receive a mailed notice shall not invalidate any project permit decision. The Notice of Hearing shall be mailed through regular U.S. mail or personally served at least fourteen (14) calendar days prior to the hearing.

#### **Notice Requirements - On-Site Signage**

**Type II & Type III Project Permits:** A sign will need to be posted which is a minimum of four (4) feet in width by four (4) feet in height and sixteen square feet in area. The sign shall be erected by the applicant on the site fronting and adjacent to the most heavily traveled public street, and positioned as close to the right-of-way as possible, so it is easily readable by the traveling vehicular public from the right-of-way. The sign shall be posted at least fourteen (14) calendar days prior to the hearing. Depending on site size, more than one sign may be required. Signage shall consist only of information approved and provided by P&CD and the signage shall be prepared and installed by the applicant. Signage shall be constructed of material of sufficient weight and reasonable strength to withstand normal weather conditions and the applicant shall complete and submit to P&CD an affidavit of posting. The sign shall be lettered and spaced as follows:

- A minimum one (1)-inch border on the top, sides, and bottom of the sign;
- The first line(s), in four (4)-inch tall letters, shall read  
"NOTICE OF PUBLIC HEARING";
- All the following lines, in two (2)-inch tall letters, shall read (as applicable):  
"PROJECT FILE #"  
"PROJECT NAME"  
"GENERAL LOCATION, SECTION, TOWNSHIP, & RANGE"  
"NUMBER OF ACRES / NUMBER OF LOTS"  
"EXISTING / PROPOSED ZONING"  
"PROPOSAL / PROPOSED USE"  
"SEPA DETERMINATION"  
"APPLICANT"  
"REVIEW AUTHORITY"  
"HEARING DATE & TIME, HEARING LOCATION"

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- Project specific information will be supplied to the applicant by P&CD prior to sign preparation. A copy of the proposed plat map, PUD plat map, etc., the SEPA threshold determination, and the actual Notice of Hearing shall be attached to the bottom face of the sign (as applicable). Required text shall be at least 1/2 inch tall letters. See example below.

NOTICE OF PUBLIC HEARING		
PROJECT FILE #: "EXAMPLE"		PROJECT NAME: "EXAMPLE"
GENERAL LOCATION: "EXAMPLE"		
SECTION:	TOWNSHIP:	RANGE:
NUMBER OF ACRES: "EXAMPLE"	NUMBER OF LOTS: "EXAMPLE"	
EXISTING ZONING: "EXAMPLE"	PROPOSED ZONING: "EXAMPLE"	
PROPOSAL / PROPOSED USE: "EXAMPLE"		
SEPA DETERMINATION: "EXAMPLE" _____		
APPLICANT: "EXAMPLE"		
REVIEW AUTHORITY: CITY OF LIBERTY LAKE PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT		
HEARING DATE: "EXAMPLE"		TIME: "EXAMPLE"
HEARING LOCATION: "EXAMPLE"		
ATTACH COPY OF PLAT / PUD MAP TO BOTTOM OF SIGN IF APPLICABLE	ATTACH ACTUAL NOTICE OF HEARING TO BOTTOM OF SIGN	ATTACH ACTUAL SEPA DETERMINATION TO BOTTOM OF SIGN IF APPLICABLE

The sign(s) shall be removed immediately after the expiration of the appeal time frame for the decision of the Hearing Examiner or the City Council, as applicable, unless the decision is appealed.

### **Notice Requirements - Publication**

**Type II and Type III Project Permits:** P&CD shall publish a Notice of Hearing in the official City newspaper and on the City website, at least ten (10) calendar days prior to the hearing stating the date, time, place, and purpose of the hearing.

### **ADMINISTRATIVE APPEAL**

**Type II and Type III Project Permits:** Any aggrieved person may submit a written appeal of the Examiner's decision to the Council within fourteen (14) calendar days from the date the final decision of the Examiner is rendered as outlined in subsection H below.

**Type III Project Permits:** The Hearing Examiner's decision is a recommendation to the City Council and the City Council conducts an additional 'closed record' public hearing at a regularly scheduled City Council meeting to render the final decision. 'Closed record' appeals of Hearing Examiner decisions are held at the same time as the 'closed record' project decision hearing.

**City Council Public Hearing:** For Type III project permits, the Hearing Examiner's decision is a recommendation to the City Council. The City Council will conduct an additional 'closed record' public hearing at a regularly scheduled City Council meeting to render the final decision.

- The legal notice required for the hearing held before the City Council shall be notice in the official City newspaper and on the City website at least ten (10) calendar days prior to the hearing stating the date, time, place, and purpose of the hearing. Additionally, the City shall require the applicant to prepare envelopes to notify members of the public and agencies who attended or spoke at the hearing before the Hearing Examiner, or submitted written comments, of the upcoming hearing before the City Council.

## **STEP 7 - NOTICE OF DECISION (NOD).**

**Type I Project Permits:** The Notice of Decision to approve, conditionally approve, or deny the application is issued by the Director of Planning & Community Development, or designee, after reviewing the staff recommendation on the project. The notice shall be provided to the applicant, the Spokane County Assessor, and to any person who, prior to the rendering of the decision, requested notice of the decision or submitted substantive comments on the application. Additionally, notice shall be published in the official City newspaper and on the City website. The building or grading permit for the project may be issued concurrently with or after the issuance of the NOD, unless additional review is required as a condition of approval for the project.

**Type II Project Permits:** The Notice of Decision to approve, conditionally approve, or deny the application is issued by the Hearing Examiner following the 'open record' public hearing. The written decision contains findings and conclusions that evidence and support the decision. The notice shall be provided to the applicant, the Spokane County Assessor, and to any person who, prior to the rendering of the decision, requested notice of the decision or submitted substantive comments on the application. Additionally, notice shall be published in the official City newspaper and on the City website.

**Type III Project Permits:** The Notice of Decision to approve, conditionally approve, or deny the application is issued by the Planning & Community Development Department and approved by the Mayor following the final public hearing before the City Council that considered the Hearing Examiner's recommendation. The written decision contains findings and conclusions that evidence and support the decision. Additionally, the notice contains a statement of any threshold determination and the procedures for appeal. The notice shall be provided to the applicant, the Spokane County Assessor, and to any person who, prior to the rendering of the decision, requested notice of the decision or submitted substantive comments on the application. Additionally, notice shall be published in the official City newspaper and on the City website.

### **Notice Requirements - Mailings**

**Type II and Type III Project Permits:** Parties shall receive notification as follows:

- The applicant shall receive the notice by certified mail,
- Parties of record, the Spokane County Assessor, and those that requested notice of the decision shall receive notification by regular mail.

### **Notice Requirements - Publication**

**Type I, Type II, and Type III Project Permits:** P&CD shall publish a Notice of Decision on the City website and in the official City newspaper.

## **APPEAL PROCEDURES.**

Administrative appeal. Interested parties with standing, as defined in RCW 36.70C, have the opportunity to appeal a decision on a project permit. The decision may be appealed within fourteen (14) calendar days from the date the decision is rendered by delivering a notice of appeal to P&CD by mail or personal delivery. The notice of appeal must be received by 4:00 p.m. on the last day of the appeal period, unless the last day of the appeal period falls on a weekend or holiday, the notice of appeal shall then be due on the following business day. Appeal requests shall contain all information required in the City of Liberty Lake Development Code. Any notice of appeal not in full compliance with the Development Code shall not be considered. For more information on appeals procedures, consult the City of Liberty Lake Development Code, Section 10-4B-4, subsection H.

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**Type I Project Permits:** An 'open record' appeal to the Hearing Examiner is available on many Type I project permits. The appeal procedure shall be as outlined in the City of Liberty Lake Development Code, Section 10-4G-2, subsection H for Appeals of Administrative Interpretations by the P&CD Director.

**Type II & Type III Project Permits:** A 'closed record' appeal to the City Council is available. For Type III project permits, if the Examiner has recommended approval of the proposal, such recommendation will be considered by the City Council at the same time as the consideration of the appeal. The appeal procedure shall be as outlined in the City of Liberty Lake Development Code, Section 10-4B-4, subsection H (2) for Appeals of Type II and Type III Project Permits.

#### **TIME COMPUTATION.**

In computing any period of time prescribed or allowed by the Development Code, the day of the act or event from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included, unless it is a Saturday or legal holiday, including Sunday, in which event, the period runs until the end of the next day which is not a Saturday or legal holiday.

#### **NEIGHBORHOOD MEETINGS.**

Applicants are encouraged to meet with adjacent property owners and neighborhood representatives prior to submitting their project permit application in order to solicit input and exchange information about the proposed development. In some cases, the Director may require the applicant to meet with a City-recognized neighborhood association or group prior to accepting an application as complete.

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Please note that while every effort is made to ensure the accuracy of the information contained in this brochure it is not warranted for accuracy. This document is not intended to address all aspects or regulatory requirements for a project and should serve as a starting point for your investigation.

For detailed information on a particular project, permit, or code requirement refer directly to applicable file and/or code/ regulatory documents or contact the City of Liberty Lake Planning & Community Development Department.

#### **FOR MORE INFORMATION PLEASE CONTACT:**

LIBERTY LAKE PLANNING AND COMMUNITY DEVELOPMENT  
22710 E. COUNTRY VISTA BLVD., LIBERTY LAKE, WA 99019  
TELEPHONE: (509) 755-6707, FAX: (509) 755-6713  
WWW.LIBERTYLAKewa.GOV